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June 24, 2010

VIA OVERNIGHT DELIVERY

Mr. Jeff S. Jordan
Supervisory Attorney
Complaints Examination & Legal Administration
Federal Elections Commission
Office of the General Counsel
999 E St., NW
Washington D.C. 20463

Re: MUR 6292

Dear Mr. Jordan:

On behalf of Walsh for Congress Committee, Inc. (the "Respondent"), this letter responds to the correspondence dated May 20, 2010 from the Federal Elections Commission (the "Commission") regarding a complaint dated May 13, 2010 (the "Complaint") filed by Richard M. Cape (the "Complainant").

Respondent is a candidate political committee formed pursuant to the Federal Elections Campaigns Act of 1971, as amended (the "Act") for the purpose of electing Joe Walsh to the United States House of Representatives from the 8th District of Illinois. Mr. Walsh was nominated to be the Republican candidate on the February 2, 2010 primary held in Illinois.

Based on the material set forth below, the Respondent respectfully requests that the Commission find no reason to believe that the facts alleged in the Complaint pose a violation of the Act or its implementing regulations and that this matter be dismissed and that the Commission take no further action.

I. Background

The Complainant was engaged by the Respondent from October 15, 2009 to April 30, 2010. Since the Respondent ended its relationship with the Complainant, he has engaged in a systematic effort to attack Joe Walsh in mass electronic mails to members of the local media and Republican Party leaders and activists. Regrettably, it appears that the Complaint is a continuation of that effort.

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II. Legal Services

The Complaint alleges that the Respondent has not disclosed or paid for legal services rendered by a law firm located in Chicago, Illinois. In support of the claim, the Complainant attached copies of correspondence prepared by counsel for the Respondent and an electronic mail from another former contractor for the Respondent in which the former contractor attempts to estimate the services provided by counsel to the Respondent.

The Respondent did engage counsel to assist it with the legal tasks of forming the Respondent, operating the campaign structure and responding to the types of issues set forth in the correspondence attached to the Complaint.

Complainant would not have reason to know it, but counsel issued invoices to the Respondent on March 15 and April 15, 2010. Receipt of these invoices will be shown on the Respondent's July 15th Quarterly Report and an amendment to the April 15th Quarterly Report as a debt owed to counsel as the Respondent has not paid the invoices.

This extension of credit by counsel was done in the firm's ordinary course of business, and the terms of the credit were similar to those observed by the firm when extending a similar amount of credit to a nonpolitical client of similar risk. Therefore, the receipt and disclosure of the invoices is fully consistent with Commission rules with respect to extension of credit by vendors.

II. Auto Calls

The Complaint alleges that Bryan Javor performed auto calls in the days leading up to the February 2, 2010 primary. The Respondent does not dispute that it engaged Mr. Javor's firm, ReachFly, to perform these calls. But again, what the Complainant would not have reason to know is that ReachFly, subsequently issued an invoice to the Respondent. The receipt and payment of that invoice will be reflected on the July 15th Quarterly Report.

The Complaint also references calls made by ReachFly pursuant to an agreement with Mr. Bruce Donnelly of Barrington, Illinois. Mr. Donnelly is the leader of a local independent voter organization and the calls referenced in the Complaint were done subsequent to the February 2, 2010 primary where Joe Walsh was a candidate.

As part of this matter, Mr. Donnelly was asked to provide a response to the Commission. In his May 26, 2010 response, Mr. Donnelly states that he paid for these calls with his own funds but he did not coordinate the timing or content of these calls with the Respondent or its agents. Furthermore, Mr. Donnelly stated in his response that the purpose of the call was to promote attendance at the meeting by providing recipients with the names of other speakers and candidates who would be present, not to advocate for the election of Joe Walsh as the Complaint states.

Mr. Donnelly's response also acknowledges that his organization received certain phone data from the Respondent following the February 2, 2010 primary. In fact, it is ironic that it was the

Complainant in his role that as a vendor to the Respondent that provided the phone data to Mr. Donnelly. In short, the Respondent complains of a situation he created.

Nonetheless, in consultation with Mr. Donnelly, the Respondent has determined that the approximate value of this data is \$70. The Respondent will disclose the \$70 as an in-kind contribution to Mr. Donnelly's organization on the July 15th Quarterly Report.

Moreover, the Respondent has taken action to ensure that current staff, consultants and organizational and individual supporters have been informed that any future activity or expenditure that might even arguably be considered a "coordinated communication" under Commission's rules should be reviewed in detail and disclosed if it meets the test for a coordinated communication.

III. Receipt of Poll

The Complaint alleges that the Respondent came into receipt of a poll conducted by Mr. Javor's firm, ReachFly, for one of Joe Walsh's primary opponents. This allegation simply is not true and the Commission should take note that the Complainant offers no proof of this claim.

On January 26, 2010 the Respondent engaged Reachfly to conduct a limited poll specifically to test name recognition and geographical areas of strength and weakness to enable the Respondent to more effectively target its efforts in the closing days of the primary campaign.

Reachfly did not issue an invoice for the polling services during the period covered by the April 15th Quarterly Report. However, the Respondent subsequently received an invoice from Reachfly for these services and the expenditure for payment for these services will be disclosed on the July 15th Quarterly Report.

IV. Expenditures Relating to Primary Election Night Event

The Complaint states that expenditures were not properly disclosed related to the primary night victory party held by the Respondent at Dock's Bar and Grill in Wauconda, Illinois.

The Respondent paid a \$200 deposit to secure space at the restaurant for the party. In addition, Joe Walsh personally paid approximately \$825 for food, refreshments and other charges incurred for holding the party at the restaurant. These expenditures were not reflected on the April Quarterly Report. The Respondent will file an amendment to the April Quarterly Report to reflect both the exact amount of expenditures by the Respondent for the deposit and the Joe Walsh's use of personal funds to pay for the party.

Again, the Respondent has taken action to ensure that in the future any such advances of personal from the candidate are documented and disclosed during the reporting period in which they are made.

V. Additional Unsubstantiated Statements

While presumably not part of the body of the Complaint, the Complainant also makes a vague and non-specific reference to other violations the Respondent may have committed related to the individual contribution limits. Without additional information, the Respondent can offer no response to these unsubstantiated statements.

VI. Conclusion

To the extent that the Complaint has any merit, it cites technical violations the Respondent has corrected and implemented processes to ensure that they do not occur again. The Commission should affirmatively find no reason to believe the Respondent violated the Act. In submitting this material to the Commission, the Respondent does not waive any of its rights that any future action on this matter will be kept confidential pursuant to relevant Commission regulations and respectfully reiterates its request that this matter be dismissed and that the Commission take no further action.

Respectfully Submitted,



William J. Cadigan
Counsel for the Respondent

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